

**Board of Supervisors Hearing Date: November 25, 2008 (continue to December 16, 2008)**

**Case Summary:** Project No. R2005-00234-(4) -- COASTAL DEVELOPMENT PERMIT NO.200500002-(4), PARKING PERMIT NO. 200500004-(4) and VARIANCE NO. 200500004-(4)

**Project Applicant:** Del Rey Shores

**RPC Hearing Dates:** January 25<sup>th</sup>, March 1<sup>st</sup>, April 19<sup>th</sup>, and June 7<sup>th</sup>  
(Consent Date December 13, 2006)

**BOS Hearing Date:** March 6, 2007

### **Synopsis**

The Regional Planning Commission approved this project on December 13, 2006. The proposed project consisted of the demolition of an existing 202 unit apartment complex and the construction of a new 544 unit complex. Subsequently, the Regional Planning Commission's decision was appealed to the Board of Supervisors by the Marina Strand Colony II Home Owners Association. The Board of Supervisors denied the appeal and upheld the Planning Commission's approval of Project No. R2005-00234 (Shores Apartments). The appellant petitioned the Superior Court of California for a Writ of Mandate to invalidate the EIR. The Court ruled that the EIR should have been re-circulated for public review and comment due to a change regarding project grading, specifically the export of approximately 25,940 cubic yards of soil (Project Grading). On July 8, 2008, the Board of Supervisors set aside its approval of the Shores Apartment project and its certification of the EIR.

To comply with the Court's order, the California Environmental Quality Act and the State and County guidelines, an additional analysis associated with the Project Grading was prepared and circulated for public review and comment pursuant to the requirements of CEQA in order to prepare responses to all public comments associated with the additional analysis. This was necessary to rectify the deficiency with the Environmental Impact Report and allow the Board to reinstate the approval of the project entitlements.

The subject property is located at 4201 Via Marina in the unincorporated community of Marina del Rey and in the Playa Vista Zoned District

### **Project Proponents**

Staff received no correspondence in support of the project.

### **Project Opposition**

Staff has received 12 letters and 8 phone calls against the project. The opponents expressed their opposition to such possible impacts as increased traffic, air pollution, dust, noise and the possible transport of hazardous materials.

### **Issues**

The project will have a significant and unavoidable effect on the environment. An EIR was prepared for the project in accordance with the California Environmental Quality Act (Code Section 21000) and it identified potential impacts in the following areas: aesthetics, air quality, geotechnical/soil resources/environmental safety, hydrology and water quality, noise, traffic/access, water service, sewer disposal and solid waste disposal. The EIR and the Additional Analysis conclude that, except for temporary air quality, noise and solid waste disposal impacts, all of the potentially significant environmental impacts can be mitigated to a less than significant level through implementation of the mitigation measures identified in the EIR. The approval of this project requires adoption of a Statement of Overriding Considerations, including a finding that the benefits of the project outweigh the potential unavoidable adverse impacts to air quality, noise and solid waste disposal.

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